

Remarks

The Office Action mailed July 28, 2006 has been carefully reviewed and the foregoing amendments have been made in consequence thereof.

Claims 1-31 are pending in this application. Claims 1-31 stand rejected.

In accordance with 37 C.F.R. 1.136(a), a two-month extension of time is submitted herewith to extend the due date of the response to the Office Action dated July 28, 2006, for the above-identified patent application from October 28, 2006, through and including December 28, 2006. In accordance with 37 C.F.R. 1.17(a)(3), authorization to charge a deposit account in the amount of \$450.00 to cover this extension of time request also is submitted herewith.

The rejection of Claims 1-31 under 35 U.S.C. § 112, second paragraph, is respectfully traversed. Applicants respectfully submit that Claims 1-31 satisfy section 112, second paragraph. More specifically, Applicants respectfully submit that Claims 1-31 are definite and particularly point out and distinctly claim the subject matter of the invention. Applicants, however, have amended independent Claims 1, 11, 21, and 31 to address the issues raised in the Office Action.

For example, the Office Action includes a “First Argument” that asserts that Claims 1, 11, 21 and 31 fail to particularly point out and distinctly claim the invention because it is “unclear” how the assets of the “second and/or third valuation portion are actually assigned a value”. Applicants traverse this assertion. However, Claims 1, 11, 21 and 31 have been amended to further include recitations directed to how the assets of the second and/or third valuation portion are valued. Accordingly, Applicants respectfully submit that Claims 1, 11, 21 and 31 are definite and particularly point out and distinctly claim the subject matter of the invention. For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 1, 11, 21 and 31 under the First Argument be withdrawn.

The Office Action also includes a “Second Argument” that asserts that with “regard to independent Claims 1, 11, 21, there are a few passages that remain a source of confusion.” Applicants traverse this assertion. However, in an effort to expedite prosecution of this application, Claims 1, 11 and 21 have been amended to address the concerns raised by the

Examiner in the Second Argument. Accordingly, Applicants respectfully submit that Claims 1, 11 and 21 are definite and particularly point out and distinctly claim the subject matter of the invention. For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 1, 11 and 21 under the Second Argument be withdrawn.

Accordingly, Applicants respectfully submit that Claims 1-31 are definite and particularly point out and distinctly claim the subject matter of the invention. For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 1-31 under 35 U.S.C. § 112, second paragraph, be withdrawn.

The rejection of Claims 1-31 under 35 U.S.C. § 101 as being directed to non-statutory subject matter is respectfully traversed.

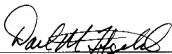
The Office Action asserts that “independent Claims 1 & 31 recite steps that manipulate characteristic data obtained by analyzing assets in a portfolio to arrive at a value of a response variable for some assets in the portfolio...The steps of Claims 1 & 31 are essentially steps in a mathematical algorithm, which is an abstract idea...The question is then whether the method is useful, concrete and tangible.” Applicants respectfully traverse these assertions.

The Office Action suggests that Applicants amend the independent claims to include a recitation directed to determining a value of the portfolio of assets. Applicants have amended Claims 1, 11, 21 and 31 to include such a recitation. Accordingly, Applicants respectfully submit that Claims 1-31 are not directed to an abstract idea, but rather, are directed to an invention that produces a useful, concrete and tangible result.

For at least the reasons set forth above, Applicants respectfully request that the Section 101 rejection of Claims 1-31 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



Daniel M. Fitzgerald
Registration No. 38,880
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070